

STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION - DIVISION OF FINANCIAL ASSISTANCE  
APRIL 21, 2005

**ITEM 8**

**SUBJECT**

CONSIDERATION OF A RESOLUTION APPROVING THE APPLICATION FOR AND ACCEPTANCE OF A WETLANDS PROGRAM DEVELOPMENT GRANT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) TO CONDUCT A WETLAND MITIGATION STUDY

**DISCUSSION**

On December 20, 2004, the Los Angeles Regional Water Quality Control Board (Los Angeles Regional Water Board) submitted a pre-proposal for EPA's Fiscal Year 2005 State-Tribal-Local Wetlands Program Development grant. EPA selected the pre-proposal and requested that the Los Angeles Regional Water Board submit a full proposal by March 21, 2005. Proposals requesting up to \$200, 000 will be accepted. Submittal of the full proposal does not guarantee funding.

The proposal includes a four-year study of functional values of pre-impact and wetland mitigation sites required by Section 401 Water Quality Certifications (WQCs) in the Los Angeles Region. The main goals of the study are to determine if pre and post rapid wetland assessment methods ensure that the functional values of the impacted wetlands are truly replaced by the compensatory mitigation. Compliance with WQCs requires both size and quality of mitigation be adequate to meet the no net loss goals. Other objectives include determining the overall net loss/gain of wetlands that has occurred through our WQC Program, determining the reasons for wetland loss, and conducting compliance activities to help achieve no net loss of wetland habitat in the Los Angeles Region.

The proposal is consistent with the priorities in the California Wetlands Conservation Policy, the California Watershed Management Initiative, and with the interests of several other agencies and entities in the Region.

Currently, the WQC program does not have the funding or staff to conduct pre and post-project functional evaluation inspections to ensure that required mitigation is provided and/or successful. The requested amount is needed to achieve all of the goals of the project. The federal funds to be requested exceed the three-year duration, requiring the State Water Resources Control Board's (State Water Board) approval of the grant application.

**POLICY ISSUE**

Should the State Water Board:

1. Authorize the Executive Officer, or his designee, to apply for a Wetlands Program Development grant from the EPA for up to \$200, 000 in order to conduct a wetland mitigation study and to increase compliance with the WQC Program;

2. Authorize the Executive Officer, or his designee, to negotiate future amendments to the budget.

**FISCAL IMPACT**

The statutory authority for Wetland Program Development Grants is section 104(b)(3) of the Clean Water Act. The funding source is specifically designated for the enhancement of state, tribal, and local wetland programs. This study is an appropriate use of funds. The Los Angeles Regional Water Board will manage this contract.

**REGIONAL WATER BOARD IMPACT**

All Regional Water Board's would benefit from the results of this proposal, but the Los Angeles Regional Water Board will conduct the study.

**STAFF RECOMMENDATIONS**

That the State Water Board:

1. Authorize the Executive Officer, or his designee, to apply for a Wetlands Program Development grant from the EPA for up to \$200, 000 to conduct a wetland mitigation study and to increase compliance with the WQC Program;
2. Authorize the Executive Officer, or his designee, to negotiate future amendments to the budget.

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2005 -

CONSIDERATION OF A RESOLUTION APPROVING THE APPLICATION FOR AND  
ACCEPTANCE OF A WETLANDS PROGRAM DEVELOPMENT GRANT FROM THE U.S.  
ENVIRONMENTAL PROTECTION AGENCY (EPA) TO CONDUCT A WETLAND  
MITIGATION STUDY

WHEREAS:

1. On December 20, 2004, the Los Angeles Regional Water Quality Control Board (Los Angeles Regional Water Board) submitted a pre-proposal for EPA's Fiscal Year 2005 State-Tribal-Local Wetlands Program Development grant (up to \$200, 000) to conduct a study of pre-impact and wetland mitigation sites in the Los Angeles Region;
2. EPA selected the pre-proposal and requested a full proposal on February 4, 2005;
3. The goals of the proposal are to determine compliance with wetland mitigation requirements, to identify successful wetland mitigation types, to determine the overall net gain or loss of wetlands in the Los Angeles Region, and to implement compliance measures to reduce the loss of wetland habitat;
4. The proposal is consistent with the priorities in the California Wetlands Conservation Policy, the California Watershed Management Initiative, and with the interests of several other agencies and entities in the Region; and
5. The grant funds requested exceed a three year duration, requiring State Water Resources Control Board (State Water Board) approval of the grant application;

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Officer, or his designee, to apply for a Wetlands Program Development grant from EPA for up to \$200, 000 in order to conduct a wetland mitigation study and to increase compliance with the Section 401 Water Quality Certifications Program; and
2. Authorize the Executive Officer, or his designee, to negotiate future amendments to the budget.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 21, 2005.

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Debbie Irvin  
Clerk to the Board